



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Probate Status Hearing Re: Filing Account

DOD: 11/06/06		<p>NAGLAA K. ALAMELDIN, sister, was appointed Administrator with full IAEA and bond of \$190,000.00 on 01/02/07.</p> <p>NAGLAA K. ALAMELDIN filed a Status Report of Administration of Estate and Petition to Approve First Account on 09/21/10.</p> <p>The Petition to Approve First Account was continued several times and the Court denied the Petition with leave to Amend on 06/04/12.</p> <p>Minute Order from hearing on 8/6/12 set this matter for status regarding filing the account.</p> <p>In June of 2013 the attorney reported that the estate is waiting on funds totaling \$69,425.63 from CA State Controller unclaimed property. In addition since there was a minor beneficiary a guardianship of the estate would be needed prior to distribution.</p> <p>Former Status Report filed 8/11/14 states the estate received a check in the amount of \$69,352.97 from the State Controller's office. Administrator states they are in the process of preparing a formal accounting and petition for final distribution in the next 45 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Account and Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 100412, 113012, 020113, 040513, 060713, 080913, 090613, 110113, 010914, 041014, 081114, 100914, 120114, 011215, 030215, 040615, 042715, 051115, 060115</p>			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 6/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Alameldin</p>	

Status Hearing Re: the Establishment of a Guardianship in Oregon

		TALINA HURLEY , maternal grandmother, was appointed Guardian of the minors on 11/19/12	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 06/01/15</u> Minute Order from 06/01/15 states: Counsel requests 30 days. As of 06/22/15, nothing further has been filed. 1. Need proof of establishment of guardianship in Oregon. Note: it is noted that a copy of a Petition filed in Washington County, Oregon was filed 02/17/15; however no Order appointing Guardian has been filed.
		On 05/27/14, Guardian's Petition to Fix Residence Outside the State of California was granted.	
Cont. from 012615, 030915, 060115		On 06/24/14, Debra Swenson, maternal grandmother, filed an Ex Parte Application for Temporary Restraining Order Preventing Guardian from Fixing Residence of Minors Outside of California and an Order Shortening Time on Petition to Terminate Order Fixing Minors Residence Outside of California.	
Aff.Sub.Wit.		The Ex Parte Application was granted on 06/24/14 and set a hearing for 07/10/14.	
Verified		At the 07/10/14 hearing, the matter was set for a court trial on 07/24/14.	
Inventory		At the Court trial on 07/24/14, the Court found that there was no detriment in allowing the children to move to Oregon and set this matter for a Status Hearing regarding the Establishment of a Guardianship in Oregon.	
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order		Cover Sheet for Oregon Petition for Appointment of Guardian and Attached Documents filed 02/17/15 attaches a copy of a Petition for Appointment of Guardian in Washington County, Oregon.	
Aff. Posting		Status Report filed 05/29/15 states: Talina Hurley, guardian, reports that attorney's in Oregon have informed her that a "registration" needs to take place, but it is unclear at this time what constitutes a "registration". A 90 day continuance is requested to allow time to obtain a "registration".	
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: JF
			Reviewed on: 06/22/15
			Updates:
			Recommendation:
			File 3 - Swenson

(1) First and Final Account and Report of Personal Representative, (2) Petition for Settlement, for (3) Allowance of Attorneys' Fees for Ordinary Services, Costs, and for (4) Final Distribution

DOD: 4/14/12		SANTOS PEREZ , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 6/1/15.
		Current bond: \$78,000.00	1. Petition proposes to distribute the 1997 Automobile to Petitioner. Petitioner is not an heir to this estate. Therefore the property should be distributed to the heirs. (Revised order states this property has been abandoned – see #3 below)
		Account period: 4/14/12 – 8/21/14	
Cont. from 111014, 011215, 022315, 042015, 060115		Accounting - \$96,400.00 Beginning POH- \$96,400.00 Ending POH - \$96,400.00	2. Petition proposes to distribute the real property subject to a life estate in favor of the petitioner, who is not an heir to this estate. Two of the beneficiaries, Mike Chavez and Richard Flores, Jr. have signed a Renunciation in favor of Petitioner for a life estate in the real property. The other two beneficiaries Isabel Alvarez and Sylvia Alaniz have not agreed the property being distributed subject to a life estate.
<input type="checkbox"/>	Aff.Sub.Wit.	Administrator - waives	
<input checked="" type="checkbox"/>	Verified	Attorney (statutory) - \$3,856.00	3. Order includes information not found in the pleadings. Such as, that the 1997 Chevrolet blew an engine in July 2013, was abandoned and its current whereabouts are unknown. In addition the distribution has been changed to distribute a 50% interest in the real property to daughters Isabelle and Sylvia and the other 50% to sons Mike and Richard subject to a life estate in favor of petitioner. The order should reflect what is prayed for in the petition.
<input checked="" type="checkbox"/>	Inventory	Costs - \$1,724.70 (filing fees, publication, probate referee, bond, recorder fees and certified copies)	
<input checked="" type="checkbox"/>	PTC	Creditor: Department of Health Care Services - \$30,826.13	Please see additional page
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		Reviewed by: KT
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		Reviewed on: 6/23/15
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		Updates:
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	6/18/13	Recommendation:
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		File 4 – Gonzalez
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Petitioner seeks to distribution of a life estate in the real property under the principle of estoppel. The real property will be subject to a lien in favor of the of the Department of Health Care Services of the State of California until the death of Santos Perez, or the sale of the real property, and subject to the lien of Quinlan, Kershaw and Fanucchi, LLP for attorneys' fees and costs with interest at 10% per annum from the date of the order. In addition the property would be distributed subject to a lien in favor of the Department of Health Care Services in the amount of \$30,826.13 with interest accruing at 7% per annum from the date of recording of the Order and subject to a lien in favor of Quinlan, Kershaw and Fanucchi, LLP, for attorney fees and reimbursement of costs of administration.

Proposed distribution is to:

Santos Perez	-	1997 Chevy Automobile and a life estate in the real property
Mike Chavez (son)	-	1/4 th Interest in the real property, subject to the life estate.
Isabel Alvarez (daughter)	-	1/4 th Interest in the real property, subject to the life estate.
Richard Flores, Jr. (son)	-	1/4 th Interest in the real property, subject to the life estate.
Sylvia Alaniz (daughter)	-	1/4 th Interest in the real property, subject to the life estate.

Declaration of paralegal Charlene Bullock filed on 3/2/15 states on 1/13/15 she had a voice mail message from Bobbie Coleman of the Recovery Section of the Department of Health Care Services. Mr. Coleman advised that the Department had reviewed the First and Final Account, the Order for Final Distribution, and the lien set forth in said document was acceptable to the Department. Ms. Bullock states that her office has filed Orders for Final Distribution in other probate matters wherein a lien to the Department of Health Care Services is set forth therein, and the Department has accepted those orders each time without having filed a formal consent or letter of consent with the Court.

Petitioner Saldivar, Rosalinda Galvan (pro per – paternal grandmother/Petitioner)

Petitioner Saldivar, Richard (pro per – paternal grandfather/Petitioner)

Petition - Appoint Guardian

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		RICHARD SALDIVAR and ROSALINDA SALDIVAR , paternal grandparents, are Petitioners.	This Petition pertains to Vanity only.
Cont. from			Cutberto & Irene Jimenez were appointed as co-guardians of Natalie on 03/25/15.
	Aff.Sub.Wit.	Father: RUSTY SALDIVAR – <i>currently incarcerated</i>	1. Need Notice of Hearing.
✓	Verified		2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
	Inventory		a. Rusty Saldivar (father) – <i>personal service needed</i>
	PTC	Mother: AMBER STICKLES – <i>Consent & Waiver of Notice filed 04/24/15</i>	b. Carl Sharp (maternal grandfather) – <i>service by mail sufficient</i>
	Not.Cred.		c. Tonya Sharp (maternal grandmother) – <i>service by mail sufficient</i>
	Notice of Hrg	Maternal grandfather: CARL SHARP Maternal grandmother: TONYA SHARP	
	Aff.Mail	✕	
	Aff.Pub.	Petitioners state that Vanity has lived with them since she was a year old. She is doing well in school and Petitioners are able to provide a home for her.	
	Sp.Ntc.		
	Pers.Serv.	✕	
✓	Conf. Screen		
✓	Letters	Court Investigator Samantha Henson filed a report on 06/22/15.	
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF
			Reviewed on: 06/22/15
			Updates:
			Recommendation:
			File 5 – Ortega & Saldivar

Executor Ferri, Sabino J.L. (pro per – co-executor)

Executor Ferri, Pasqua Carmela (pro per – co-executor)

Status Hearing Re: Filing of the Petition for Final Distribution

DOD: 05/23/12	SABINO J.L. FERRI and PASQUA CARMELA FERRI , were appointed as Co-Executors with Full IAEA without bond on 04/23/13. Letters were issued on 04/24/13.	NEEDS/PROBLEMS/COMMENTS: 1. Need Petition for Final Distribution and/or current written status report.
Cont. from		
Aff.Sub.Wit.	On 01/16/15, Co-Executors filed their First Report of Executor on Waiver of Accounting and Petition for Approval. The Petition was approved on 03/02/15. Minute Order from 03/02/15 set this matter for status regarding filing of the Petition for Final Distribution.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/23/15
		Updates:
		Recommendation:
		File 6 - Ferri

DOD: 09/01/2012	JULIE RAVISCIONI , daughter was appointed Administrator with full IAEA authority without bond on 05/15/2013.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 05/16/2013	Minute Order of 05/18/2015: Counsel requests 30 days; no appearance is necessary if the petition is filed at least two court days prior.
Cont. from 071814, 081814, 092214, 111014, 011215, 030215, 051815	Final Inventory and Appraisal filed 11/06/2013 shows an estate valued at \$182,150.00.	Minute Order of 04/13/2015: Counsel advises that the 3 rd demurrer is set for 05/12/2015.
Aff.Sub.Wit.	Minute Order of 05/15/2014 set this status hearing for the filing of the First Account and/or Petition for Final Distribution.	Minute Order of 03/02/2015: Counsel Reports that a Demurrer to the First Amended Complaint in case #14CECG03809 is currently set for hearing on 03/25/2015 in Department 503. Matter continued to 04/13/2015 for further status.
Verified	<p>Former Declaration of Randolph Krbechek Regarding the Status of Action and Request for Continuance filed 02/26/2015 states on 01/21/2015, the administrator filed a demurrer to Ms. Dupree's complaint, the demurrer hearing was scheduled for 02/26/2015 in Department of 503 of the Fresno Superior Court. On 02/09/2015, Ms. Dupree filed a First Amended Complaint for Damages in Camber Dupree v. Julie Raviscioni, Administrator, Fresno County Superior Court Case No. 14CECG03809.</p> <p>Mr. Krbechek intends to file another demurrer to the complaint based on the statute of limitations, and has obtained a hearing date of 03/25/2015. Based thereon, Mr. Krbechek respectfully requests the court continue the hearing on this matter until April 2015.</p>	<ol style="list-style-type: none"> 1. Need First Account or Petition for Final Distribution or <u>current</u> written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202	Reviewed by: LV Reviewed on: 06/23/2015 Updates: Recommendation: File 8 – Dupree	
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

First and Final Account & Report of Trustee of the Brooke Bertoldi Pooled Special Needs Trust; Petition to Settle Account; to Confirm Trustee Fees; and to Fix & Allow Attorney Fees & Costs.

		FREMONT BANK , former Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		HERB THOMAS is the current successor Trustee.	
Cont. from		Account period: 9/11/13 – 11/17/14	<p>1. Costs include charges for CourtCall totaling \$86.00. Local Rule 7.17B5 states the Court considers telephonic appearance costs to be a part of the cost of doing business and are not reimbursable.</p> <p>2. Costs include charges for filing service fees totaling \$55.95. Local Rule 7.17B7 states the Court considers runner services to be a part of the cost of doing business and are not reimbursable.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Accounting - \$122,260.43</p> <p>Beginning POH - \$0</p> <p>Ending POH - \$ 51,005.26</p> <p>Trustee - \$1,833.73 (already paid. 1.5% of the trust assets per court approved fee schedule.)</p> <p>Attorney - \$4,435.00 (per itemization and declaration, 8 attorney hours @ \$295/hr., .40 attorney hours at \$325/hr., and 12.90 paralegal hours @ \$150/hr)</p> <p>Costs - \$395.62 (Filing fee, Fed Ex, CourtCall, Runner Services)</p> <p>Petition states a handicap equipped van was purchased for \$62,955.87 and distributed directly to the beneficiary, Brook Bertoldi.</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> 1. Approving, allowing and settling the first and final account and report; 2. Confirming payments by Fremont Bank to Fremont Bank and Charities Pool Trust, as compensation for services rendered as trustee; 3. Authorizing and directing the Trustee to pay attorney fees totaling \$4,435.00 and costs of \$395.62. 	
			<p>Reviewed by: KT</p> <p>Reviewed on: 6/23/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Bertoldi</p>

Amended (1) Waiver of Accounting and (2) Petition for Allowance of Statutory Fees to Executor and Attorney for Executor, and (3) Petition for Final Distribution

DOD: 1/23/14		<p>DEBORAH FOULGER, Surviving Spouse and Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived</p> <p>I&A: \$506,945.13</p> <p>POH: Various accounts and securities (amounts not stated)</p> <p>Executor (Statutory): \$13,138.90</p> <p>Attorney: \$5,000.00 (Less than statutory)</p> <p>Distribution pursuant to Decedent's will:</p> <p>Deborah Foulger, Trustee of the Henry Scott Foulger Declaration of Trust established December 17, 2012: Entire estate</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need Declaration of Trustee pursuant to Local Rule 7.12.5. Need proposed order in compliance with Local Rule 7.6.1.A., which requires monetary distributions stated in values.
Cont from 040815, 051915			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters 4/15/14		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order x		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 6/22/15	
		Updates:	
		Recommendation:	
		File 11 – Foulger	

Attorney

Pulido, Reynaldo Carrillo (for Antoinette Fuller – Guardian)

Attorney

Miller, James L (for Orrin Fuller – father)

Probate Status Hearing RE: Proof of Attendance of Anger Management Classes

	ANTOINETTE FULLER , paternal aunt, was appointed Guardian on 05/11/15.	NEEDS/PROBLEMS/COMMENTS: Note: It does not appear that an Order Appointing Guardian of the Minor or Letters of Guardianship have been submitted since the guardianship was granted on 05/11/15. 1. Need proof of attendance of anger management classes from Orrin Fuller.
Cont. from	Minute Order from 05/11/15 set this matter for status and states: The Court grants the general petition forthwith. The Court orders Orrin Fuller to enroll in Anger Management classes, and further orders that they are to take precedence over other classes if there is a scheduling conflict. There is to be no communication between Mr. Fuller and the Guardian other than e-mail. The Court orders visitation on the first and third Sunday of each month from 10am to 4pm at CYS. Each party is responsible for one-half of the costs of the visits, and there shall be no other visits other than those through CYS.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	Update on Minor's Progress and Guardian's Completions filed 06/18/15.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/23/15
		Updates:
		Recommendation:
		File 12 - Fuller

DOD: 10-3-12		HOLLY FOLEY, Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<p>Petitioner states the trust was created 3-29-05 by Virginia Howard as Settlor and Trustee and amended and restated in its entirety on 7-4-11, and amended again on 8-12-11. Petitioner is informed and believes that VICTORIA HOWARD is currently the sole trustee, VAUGHN HOWARD having resigned on or about 6-23-14.</p> <p>Petitioner states Virginia Howard died 10-3-12. Petitioner alleges the value of the trust at her death was over \$600,000.00.</p> <p>On 5-16-14, Petitioner, through counsel, made a written request for an account of the trust. On 5-28-14, following the sale of certain real property owned by the trust, Petitioner again requested a full and complete account of the remaining assets. Petitioner is entitled to receive an account per Probate Code §16062.</p> <p>On or about 4-15-13, Petitioner received an inventory of trust assets from the trustee's former legal counsel, but has not received anything since that date. More than 60 days have elapsed since Petitioner's written request for a full account; therefore, this petition is appropriate under Probate Code §17200(b) and Petitioner requests an order of this Court instructing the trustee to deliver an account of the transactions of the trust to Petitioner.</p>	<p>Note: On 10-27-14: The Court removed Victoria Howard as the trustee and appointed the Public Administrator as the successor trustee.</p> <p><u>Continued from 9-29-14, 10-27-14, 1-26-15, 4-27-15. The following issues remain noted for reference:</u></p> <ol style="list-style-type: none"> 1. Petitioner states Fresno County is the proper venue pursuant to Probate Code §17005 (a)(1) (principal place of administration); however, the current trustee, Victoria Howard, resides in <u>Red Oak, Iowa</u>, and the most recent former trustee, Vaughn Haward, resides in <u>Omaha, Nebraska</u>. Need clarification as to how Fresno County, CA, is the proper venue for this petition. 2. Petitioner provides the names and addresses of the beneficiaries, but does not state if these are all of the people <u>entitled to notice</u> pursuant to Probate Code §17201. Need clarification. 3. Petitioner mentions receipt of an inventory from the "Trustee's <u>former</u> legal counsel." Pursuant to Probate Code §1214, if the trustee is currently represented, notice is required to be served on the attorney, and Probate Code §17203 requires 30 days' notice. <p>The Court may require clarification as to how Petitioner knows that the trustee is no longer represented by the attorney who provided the inventory, and may require continuance for notice to the attorney for the trustee, if any.</p> <p>Note: The trust and amendments were prepared by Attorney Gilbert B. Fleming of Fresno, CA. Is this the attorney that served the inventory? If so, is this the basis for venue in Fresno?</p> <p><u>SEE ADDITIONAL PAGES</u></p>
Cont. from 092914, 102714, 012615, 042715			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6/22/15
			Updates:
			Recommendation:
			File 13 - Howard

Page 2

First Supplement to Petition to Compel Account filed 10-22-14 states Attorney Gilbert Fleming continued to assist the trustees until about January 2014. Thereafter, Mr. Fleming continued to principally administer the trust from Fresno County, where the decedent resided and where both trust accounts and real property were located.

Petitioner is informed and believes that the remaining assets consist of a very small amount of money in the trust account, the trustee having depleted the account while still residing in Fresno, and the trust's interest in an investment fund.

No petition to transfer administration has been filed pursuant to § 17401 and Section 12.05 of the trust. Accordingly, administration continues to be Fresno County and venue is proper in Fresno County.

Though counsel for petitioner have repeatedly inquired as to whether the trustee has retained new counsel after Mr. Fleming withdrew in January 2014, Petitioner is informed and believes that the trustee has not, and remains unrepresented.

The following additional Examiner's Notes remain noted for reference:

Probate Code §17002 states:

17002. (a) The principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust.

(b) If the principal place of administration of the trust cannot be determined under subdivision (a), it shall be determined as follows:

(1) If the trust has a single trustee, the principal place of administration of the trust is the trustee's residence or usual place of business.

(2) If the trust has more than one trustee, the principal place of administration of the trust is the residence or usual place of business of any of the cotrustees as agreed upon by them or, if not, the residence or usual place of business of any of the cotrustees.

If Mr. Fleming withdrew as counsel for the trustees, how did administration of the trust continue in Fresno without him? Pursuant to Probate Code §17002, the principal place of administration follows the trustee.

§17400 applies to trusts that are already before the Court. That is not the case here, and the trust section referenced does not appear to require petition to the Court for transfer. The trust has never been before this Court.

If Mr. Fleming's former representation of the trustee is the basis for Fresno as venue, Mr. Fleming is entitled to Notice of Hearing on Mr. Fleming at least 30 days prior to the hearing pursuant to §17203 and §1214.

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

			<u>TEMPORARY EXPIRES 06/29/15</u>	NEEDS/PROBLEMS/COMMENTS:
			ANNETTE IVORY , non-relative, is Petitioner.	<u>CONTINUED FROM 06/01/15</u>
			Father: LEONELL MONARES – Personally served on 03/11/15	1. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: a. Paternal grandparents – service by mail sufficient Note: Proof of service filed 03/23/15 indicates that Margo Monares was served by mail on 03/11/15; however her relationship to the minor is unknown
	Aff.Sub.Wit.		Mother: E'VAHNAVA WILLIAMS – Consent & Waiver of Notice filed 01/05/15; Personally served on 03/11/15	
✓	Verified		Paternal grandparents: NOT LISTED	
	Inventory		Maternal grandmother: APRIL STRIGGLES – Personally served on 03/11/15	
	PTC		Maternal grandfather: ANDRE L. WILLIAMS – served by mail on 05/14/15	
	Not.Cred.		Petitioner states [see Petition for details].	
✓	Notice of Hrg		DSS Social Worker Irma Ramirez filed a report on 03/05/15.	
✓	Aff.Mail	w/		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	w/		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: JF
				Reviewed on: 06/22/15
				Updates:
				Recommendation:
				File 15 - Monares

	See petition for details.	NEEDS/PROBLEMS/COMMENTS:
Cont from 041315, 051815		Continued from 4/13/15, 5/18/15
<input type="checkbox"/> Aff.Sub.Wit.		All notes have been cured.
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> Clearances		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 6/22/15
<input checked="" type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 16A - Camacho

17 **Matthew Calderon, Jacob Gurrusquieta, Francisco Hernandez,
Haley Hernandez, Isabel Hernandez, and Sophia Hernandez (GUARD/P)**
Case No. 15CEPR00188
Petitioner **Maria De Jesus Gurrusquieta (Pro Per – Maternal Grandmother – Petitioner)**

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Paternal Grandparents of Matthew and Jacob - Paternal Grandparents of Francisco, Haley, Isabel, Sophia - Maternal Grandfather <u>Note:</u> Petitioner has now served: - Jose Gurrusquieta - Sandra Machura - Gloria Calderon However, it is unclear how these people are related to the children. Need clarification.	
Cont. 050415				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: skc Reviewed on: 6/22/15 Updates: Recommendation: File 17 – Calderon, Gurrusquieta & Hernandez				

		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>LINDA LOUISE McDOWELL, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers (and powers under Probate Code §§2590, 1873 or 1901, and 2351-2358).</p> <p>Voting rights affected.</p> <p>Petitioner states [see Petition for details].</p> <p>Court Investigator Dina Calvillo filed a report on 03/24/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 05/20/15</u> Court Investigator advised rights on 03/16/15. Voting rights affected, need minute order.</p> <ol style="list-style-type: none"> The Petition is marked at items 1 (d-f) requesting specific powers outlined in Probate Code sections 2590, 1873 or 1901, 2351-2358; however no information is provided about the necessity of these powers. Pursuant to Local Rule 7.15.2 - it is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 <u>will not be granted by the court</u>. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship. It is unclear whether Petitioner meant to request these powers or if these boxes were checked in error. Petitioner is requesting medical consent powers, need Capacity Declaration in support of medical consent. The Petition states that the proposed conservatee is a client of CVRC, therefore need proof of service at least 30 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> on CVRC pursuant to Probate Code § 1822(e). Note: proof of service filed 04/21/15 indicates that notice was mailed on 05/20/15. Need revised proof of service with corrected mailing date. Need Citation. Need proof of personal service at least 15 days before the hearing of <i>Citation</i> on the proposed conservatee. Note: Proof of service filed 04/21/15 indicates that Jameson was personally served with Notice of Hearing and a copy of the Petition on 04/20/15. Item 11 of the petition does not appear to list all 2nd degree relatives, only one grandmother is listed. It is unclear if other grandparents are deceased or were simply omitted. Need clarification. If there are other relatives that should be listed need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition</i> on those additional people. Items 1(a-e) of the Confidential Conservator's Screening Form appears to have the proposed conservatee's information (DOB, SSN, etc.) Need revised Confidential Conservator's Screening Form with Conservator's information at items 1(a-e). 	
Cont. from 040815, 052015				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input checked="" type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation	x		
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 06/22/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – McDowell</p>				

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 5/11/14		<p>MARINA REESE, spouse, and STEPHEN ALAN KLISE, NORMA DEPOYAN, HAZEL MARIE STEITZ and TIMOTHY JON KLISE, siblings, are petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>I & A - \$75,000.00</p> <p>Petitioners request Court determination that Decedent's 100% interest in real property pass to MARINA REESE pursuant to intestate succession and assignments of interest.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 5/19/15. As of 6/23/15 the following issues remain:</p> <ol style="list-style-type: none"> 1. The siblings of the decedent have assigned their interest in this estate to the surviving spouse. There does not appear to be a provision in the Probate Code that would allow an individual to assign their interest in the estate in a summary proceeding. 2. Attachment 14 lists Kenneth Edward Reese. It appears that Kenneth is another sibling of the decedent. Kenneth died on 6/7/1985. Petition does not indicate whether or not Kenneth was survived by issue. If Kenneth was survived by issue, his issue would also be entitled to a portion of the decedent's real property. Probate Code §6401. 				
Cont. from 041415, 051915							
<input type="checkbox"/>	Aff.Sub.Wit.						
<input checked="" type="checkbox"/>	Verified						
<input type="checkbox"/>	Inventory						
<input type="checkbox"/>	PTC						
<input type="checkbox"/>	Not.Cred.						
<input checked="" type="checkbox"/>	Notice of Hrg			W/			
<input type="checkbox"/>	Aff.Mail						
<input type="checkbox"/>	Aff.Pub.						
<input type="checkbox"/>	Sp.Ntc.						
<input type="checkbox"/>	Pers.Serv.						
<input type="checkbox"/>	Conf. Screen						
<input type="checkbox"/>	Letters						
<input type="checkbox"/>	Duties/Supp						
<input type="checkbox"/>	Objections						
<input type="checkbox"/>	Video Receipt						
<input type="checkbox"/>	CI Report						
<input type="checkbox"/>	9202						
<input checked="" type="checkbox"/>	Order						
<input type="checkbox"/>	Aff. Posting						
<input type="checkbox"/>	Status Rpt						
<input type="checkbox"/>	UCCJEA						
<input type="checkbox"/>	Citation						
<input type="checkbox"/>	FTB Notice						
<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 6/23/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 19 - Reese</td> </tr> </table>			Reviewed by: KT	Reviewed on: 6/23/15	Updates:	Recommendation:	File 19 - Reese
Reviewed by: KT							
Reviewed on: 6/23/15							
Updates:							
Recommendation:							
File 19 - Reese							

Petition to Determine Succession to Real Property.

DOD: 2/10/15	BRUCE T. JONES , brother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	Continued from 6/1/15. Minute order states Counsel represents that her client is searching for the will and they have made an inquiry with the attorney that prepared the document.
	No other proceedings.	
Cont. from 060115	Will dated: 3/18/05 devises entire estate to Bruce T. Jones.	1. Need original Will deposited with the court as required by Probate Code §8200.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
I & A - \$115,000.00		
Petitioner requests Court determination that Decedent's 100% interest in real property located at 513 W. Cortland in Fresno passes to him pursuant to Decedent's Will.		
		Reviewed by: KT
		Reviewed on: 6/23/15
		Updates:
		Recommendation:
		File 20 – Jones